

BART E. VOLKMER, State Bar No. 223732
bvolkmer@wsgr.com
WILSON SONSINI GOODRICH &
ROSATI
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 493-6811

Attorneys For Non-Party TAPJOY, INC.

GABRIEL S. GROSS, State Bar No. 254672
gabegross@quinnemanuel.com
QUINN EMMANUEL URQUHART &
SULLIVAN, LLP
555 Twin Dolphin Drive, 5th Floor
Redwood Shores, CA 94065-2139
Telephone: (650) 801-5000
Facsimile: (650) 801-5100

Attorneys For Plaintiff ZYNGA GAME
NETWORK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Zynga Game Network, Inc.,

Plaintiff,

v.

Green Patch, Inc.,

Defendant.

CASE NO.: 09-CV-3636-SC

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
ZYNGA GAME NETWORK, INC.'S
DOCUMENT SUBPOENA TO NON-
PARTY OFFERPAL MEDIA (NOW
KNOWN AS TAPJOY, INC.)**

Whereas, on October 6, 2010, plaintiff Zynga Game Network, Inc. ("Zynga") served a document subpoena (the "Subpoena") on non-party Offerpal Media (now known as Tapjoy, Inc. ("Tapjoy");

Whereas, the parties have been engaged in negotiations concerning the scope of the Subpoena;

Whereas, on October 28, 2010, Zynga filed a motion to compel the production of certain documents pursuant to the Subpoena;

Whereas, on October 28, 2010, counsel for Zynga and counsel for Tapjoy met with the Court's staff concerning Zynga's motion, and have continued to meet and confer;

1 Whereas, the parties agree that Tapjoy's document-production obligations under the
2 Subpoena shall be governed by this stipulation.

3 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
4 counsel for the parties hereto, that:

5 1. Zynga hereby withdraws its motion to compel against Tapjoy filed on October 28,
6 2010.

7 2. Upon entry of this Order by the Court, after conducting a good faith and diligent
8 search for documents responsive to the Subpoena, and subject to Tapjoy's objections thereto,
9 Tapjoy shall produce the following information as "Highly Confidential – Attorneys' Eyes Only"
10 under the extant protective order (but disclosure shall be limited to the individuals referenced in
11 Paragraph 7.3 of the protective order and Zynga shall not make any disclosure of the information
12 produced under this stipulation pursuant to Paragraph 12.3 of the protective order):

13 (a) Documents or information sufficient to show the money spent per user, per day
14 for the Green Patch and Playdom games, over the life of the games, and specifically identifying
15 the date, non-personally identifying user ID number, application and revenue for each
16 transaction;

17 (b) Any email reports about users or user metrics provided by Green Patch to
18 Offerpal Media/Tapjoy (but excluding personally identifiable user information) that can be
19 located after a reasonably diligent search under the circumstances; and

20 (c) Revenue reports for the games Lil Farm Life, Mafioso, Poker Planet,
21 Robin Hood, Fashionista and Spy Wars sufficient to show daily revenue for each of the
22 aforementioned games, over the lifetime of each game (which constitutes a subset of the data
23 being provided in Section 3(a) above).

24 3. Data provided pursuant to Paragraph Nos. 3(a) and 3(c) shall be produced by 5:00
25 p.m. on November 5, 2010.

26 4. Data provided pursuant to Paragraph No. 3(b) shall be produced by 5:00 p.m. on
27 November 8, 2010.

5. In lieu of proceeding with a deposition, Tapjoy shall provide a declaration certifying the nature and authenticity of the information it produces to Zynga in response to the Subpoena, consistent with Fed. R. Evid. 902(11).

AGREED and STIPULATED:

Dated: November 3, 2010

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Bart E. Volkmer
BART E. VOLKMER

Attorneys for Tapjoy, Inc.

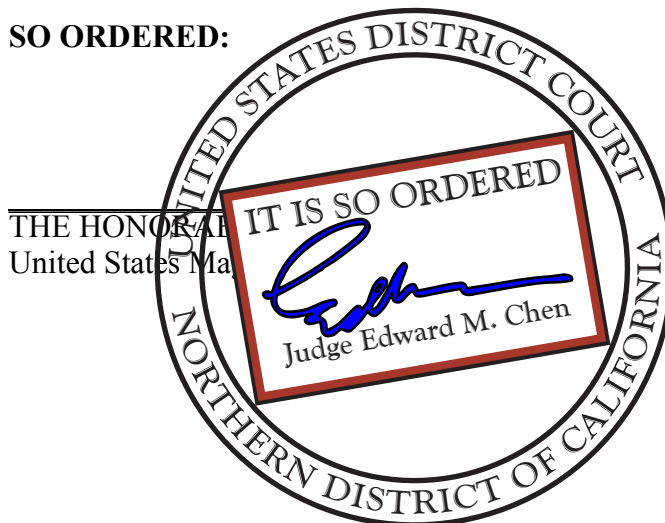
Dated: November 3, 2010

QUINN EMMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ Gabriel S. Gross
GABRIEL S. GROSS

Attorneys for Zynga Game Network, Inc.

SO ORDERED:



I, Gabriel S. Gross, am the ECF User whose identification and password are being used to file this document. Pursuant to General Order 45.X.B, I hereby attest that Bart E. Volkmer has concurred in this filing.